

PHG TECHNOLOGIES, LLC,)
)
 Plaintiff,)
) No. 03:05-0630
 v.) JUDGE ECHOLS
)
 THE ST. JOHN COMPANIES, INC.,)
)
 Defendant.)

appearance similar to the design depicted in Plaintiff PHG Technologies, LLC's design patents, U.S. Patent Des. No. 496,405 S and U.S. Patent Des. No. 503,197 S.


(6) This preliminary injunction applies to all persons, officers, agents, servants, employees, and attorneys acting in concert with or participating with The St. John Companies, Inc., who receive actual notice of this Order by personal service or otherwise.

(7) Pursuant to Federal Rule of Civil Procedure 65(c), Plaintiff PHG Technologies, LLC, shall file with the Clerk of this Court, **no later than Monday, December 12, 2005**, a surety bond in the amount of \$250,000, in such form as is acceptable to the Clerk of Court.

(8) This Order shall remain in effect during the pendency of this action and until further Order of this Court unless Plaintiff fails to file the surety bond as required in paragraph (7) above.

(9) Count IV of the Complaint is hereby DISMISSED WITH PREJUDICE.

It is so ORDERED.



ROBERT L. ECHOLS
UNITED STATES DISTRICT JUDGE

December 5, 2005, at 11:05 a.m.
Date and Time